

EXHIBIT A

INDEX OF EXHIBITS

1. Copy of State District Court Docket Sheet
2. Plaintiff's Original Petition
3. Citation issued for service to City of Port Isabel, Texas
by serving Mayor of the City of Isabel Juan Jose JJ Zamora
4. Citation issued for service to Port Isabel Economic Development Corporation by
serving its Chairman Calvin Byrd

Case Information

2020-DCL-01570 | Robert Salinas vs. City of Port Isabel, Texas,Port Isabel
Economic Development Corporation

Case Number	Court	Judicial Officer
2020-DCL-01570	197th District Court	Cordova, Adolfo E, Jr.
File Date	Case Type	Case Status
03/23/2020	Termination	Pending

Party

Plaintiff
Salinas, Robert

Active Attorneys▼
Lead Attorney
SANCHEZ, MARK
ANTHONY
Retained

Defendant
City of Port Isabel, Texas

Address
May Be Served By Serving Its Mayor, Juan Jose
JJ Zamora
305 E Maxan Street
Or Wherever He May Be Found.
Port Isabel TX 78578

Defendant
Port Isabel Economic Development Corporation

Address
May Be Served By Serving Its Chairman Calvin
Byrd
305 E Maxan Street
Or Wherever He May Be Found.
Port Isabel TX 78578

EXHIBIT A-1

Events and Hearings

03/23/2020 Original Petition (OCA) ▼
Comment Plaintiff's Original Petition
03/23/2020 Efiled Original Petition Document ▼
Comment Plaintiff's Original Petition
03/23/2020 Efiled Original Petition Document ▼
Comment Cover Letter
03/23/2020 Exhibits ▼
Comment Exhibit 1
03/23/2020 Exhibits ▼
Comment Exhibit 2
03/23/2020 Exhibits ▼
Comment Exhibit 3
03/23/2020 Exhibits ▼
Comment Exhibit 4
03/25/2020 Jury Fee Paid (OCA)
03/25/2020 Citation Issued ▼
Comment In Sheriff's Box S.H.

03/25/2020 Citation Issued ▼

Comment

In Sheriff's Box S.H.

03/25/2020 Clerks Journal ▼

Comment

As Per Lizette From Law Office, Use Service As It Was Said On
Petition Not Cover Letter S.H.

03/25/2020 Citation ▼

Served

03/27/2020 4:45 PM

Anticipated Server

Sheriff's Office

Anticipated Method

In Person

Serving Officer

MOORE, RONALD

Serving Method

In Person

03/25/2020 Citation ▼

Served

03/27/2020 4:30 PM

Anticipated Server

Sheriff's Office

Anticipated Method

In Person

Serving Officer

MOORE, RONALD

Serving Method

In Person

04/07/2020 Service Return ▼

Service Return

04/07/2020 Service Return ▼

Service Return

Financial

Salinas, Robert			
Total Financial Assessment			\$579.00
Total Payments and Credits			\$579.00
3/24/2020	Transaction Assessment		\$579.00
3/24/2020	E-File	Receipt #	Salinas, (\$579.00)
	Electronic	2020-	Robert
	Payment	07305	

Documents

Service Return
Service Return

Mayor, Juan Jose “JJ” Zamora at 305 E Maxan Street, Port Isabel, Texas 78578 or wherever he may be found.

3. Defendant Port Isabel Economic Development Corporation (“PIEDC”) is a non-profit 4B corporation operating pursuant to the Texas Government Code, the Texas Nonprofit Corporation Law, and to the laws of the State of Texas. Upon information and informed belief, PIEDC was created by voters qualified on behalf of the City of Port Isabel upon written application and, as such, is an arm of and/or instrumentality of the City of Port Isabel. PIEDC may be served with process by serving its Chairman Calvin Byrd at 305 E Maxan Street, Port Isabel, Texas 78578 or wherever he may be found.

III. **JURISDICTION**

4. Mr. Salinas asserts claims against Defendants for violations of his constitutional and civil rights as guaranteed by the United States Constitution, the Texas Constitution, and 42 U.S.C. § 1983, thereby invoking the jurisdiction conferred upon this Court. He seeks monetary and injunctive relief over \$200,000.00 but not more than \$1,000,000.00.

5. Defendants, at all relevant times hereto, were Mr. Salinas’ employer as defined by and within the meaning of Texas law. Further, PIEDC, at all times relevant hereto, acted under color of state law.

IV. **VENUE**

6. Because the acts and omissions forming the basis of this suit occurred in Cameron County, Texas, venue is appropriate in the district courts of Cameron County, Texas.

V. **STATEMENT OF FACTS**

7. Whenever, in this pleading, it is alleged that Defendants or their officers, agents, servants, employees or representatives engaged in any act or omission resulting in a constitutional or common law tort, it is meant that any such officers, agents, servants, employees or representatives, engaged in such act or omission with the actual or constructive knowledge that such act or omission was, in fact, a constitutional or common law tort.

8. Whenever, in this pleading, it is alleged that Defendants or their officers, agents, servants, employees or representatives, engaged in any act or omission resulting in a constitutional or common law tort, it is meant that such officers, agents, servants, employees representatives, engaged in such acts and omissions jointly and severally with the full authorization or ratification of Defendants or their officers, agents, servants, employees or representatives.

9. Whenever, in this pleading, it is alleged that Defendants or their officers, agents, servants, employees or representatives, engaged in any act or omission resulting in a constitutional or common law tort, it is meant that such officers, agents, servants, employees representatives engaged in such acts and omissions in the normal and routine course and scope of employment of Defendants officers, agents, servants, employees or representatives.

10. Whenever, in this pleading, it is alleged that Defendants or their officers, agents, servants, employees or representatives, engaged in any act or omission resulting in a constitutional or common law tort, it is meant that such officers, agents, servants, employees representatives engaged in such acts and omissions, in whole or in part and that same were the proximate result of a failure to train and/or a failure to supervise subordinates rising to the level of a deliberate indifference to Mr. Salinas' constitutional rights.

11. The PIEDC is a non-profit 4B corporation governed by a Board of Directors and operated under the direction of the Port Isabel Economic Development Corporation Director and Administrator.

12. Defendants hired Mr. Salinas on or about March 4, 2013 in the position Economic Development Corporation Administrator. On September 10, 2015, Defendants expanded Mr. Salinas' responsibilities, including administration of revolving loans and participation on a committee that reviewed and approved applications from revolving loans applicants. He possessed the requisite skill, experience, education and other job-related requirements for the position he held.

13. On September 15, 2015, Defendants gave Mr. Salinas a pay increase.

14. On July 30, 2017, Martin Cantu, Jr., the elected City Commissioner, Place 1 for the City of Port Isabel, drove to Mr. Salinas' home located at 33 Whooping Crane, Laguna Vista, Texas 78578 and, in plain view of surveillance cameras installed at the home, knocked on the front door. When Mr. Salinas answered the door, Martin Cantu, Jr., in an aggressive and threatening manner, confronted him about his mother, Ms. Elizabeth Salinas. In a loud, aggressive, and threatening voice, Martin Cantu, Jr. yelled, "Tell your mother to watch her mouth! Remember, you work for the city!" Mr. Salinas' father, Mr. Rogerio Salinas, who was visiting Mr. Salinas, personally witnessed Martin Cantu, Jr.'s threat. He told Martin Cantu, Jr. to leave, and never come back to threaten any member of his family. Mr. Salinas was visibly shaken, upset, and fearful.

15. One January 22, 2018, Mr. Salinas' father, Mr. Rogerio Salinas, filed his Application for a Place on the City of Port Isabel General Election Ballot to the City Secretary.¹ He campaigned against Mr. Martin Cantu, Jr., the son of Commissioner Martin Cantu, Sr.

16. Mr. Salinas helped his father campaign by supporting him financially, posting signs throughout Port Isabel, distributing bumper stickers, leaflets, and yard signs. He wore pro-Salinas t-shirts and "block walked" in support of his father's campaign by going door-to-door throughout Port Isabel soliciting support for his father's campaign and engaging in other forms public electioneering. Mr. Salinas was careful to electioneer on his personal time and not during work hours.

17. On February 7, 2018 and without any notice, Mr. Martin Cantu, Jr. stormed into Mr. Salinas' office located at 305 E. Maxan Street, Port Isabel, Texas 78578 during business hours. He was visibly angry, leaned in very close to Mr. Salinas, and yelled, "If your father thinks he can beat us, then bring it on!" Mr. Salinas was intimidated by the threat and felt it was a pre-emptive warning that if he continued to support his father's campaign, Defendants would retaliate against him. Mr. Salinas was visibly shaken, upset, and fearful and briefly considered withdrawing from any free speech or free association, but decided against it.

18. Throughout February, March and April of 2018, Mr. Salinas continued to help his father campaign by supporting him financially, posting signs throughout Port Isabel, distributing bumper stickers, leaflets, and yard signs. He wore pro-Salinas t-shirts and "block walked" in support of his father's campaign by going door-to-door throughout Port Isabel soliciting support for his father's campaign and engaging in other forms public electioneering. Mr. Salinas was careful to electioneer on his personal time and not during work hours.

¹ See Exhibit 1, Rogerio Salinas, Jr.'s Application for a Place on the City of Port Isabel General Election Ballot, incorporated by reference as if fully set forth herein.

19. On April 23, 2018, Port Isabel commenced early voting for city elections. During the early voting period, Mr. Salinas continued to help his father campaign by supporting him financially, posting signs throughout Port Isabel, distributing bumper stickers, leaflets, and yard signs. He wore pro-Salinas t-shirts and “block walked” in support of his father’s campaign by going door-to-door throughout Port Isabel soliciting support for his father’s campaign and engaging in other forms public electioneering. Mr. Salinas was careful to electioneer on his personal time and not during work hours.

20. On May 5, 2018, election day, Mr. Salinas and his family set up a “Salinas For Commissioner” campsite where he and his extended family showed public support for his father’s election campaign. They greeted voters, distributed election paraphernalia and solicited votes in favor of his father.

21. On May 5, 2018, Mr. Martin Cantu, Jr. was declared the winner of the election.

22. On the evening of May 5, 2018, as everyone in the Salinas campsite packed up for the evening, Mr. Jose Enrique Ochoa a close political ally of Commissioner Martin Cantu, Jr. approached the Salinas campsite and yelled, “I will see you in court mother f*#\$ers!” Mr. Salinas told him to leave them alone, and continued to put things away. Mr. Jose Enrique Ochoa lunged at Mr. Salinas, who put his hands up in self-defense.

23. On May 16, 2018, Mr. Salinas turned himself in the Cameron County Sherriff’s Department with his attorney Noe Garza, Esq. for the offense of Injury to a Child Elderly/ Disabled with intent to Bodily Injury, which was a pure fabrication and patently false. Mr. Salinas was taken into custody by the Cameron County Sherriff’s Department.

24. On May 18, 2018, Mr. Jared Hockema (“Hockema”), City Manager, discharged Mr. Salinas for fighting and inciting or engaging in a strikes or riot.² These reasons were pure fabrications and patently false.

25. On May 30, 2018, Mr. Salinas retained Ed Cyganiewicz, Esq. for legal representation and filed a written objection to the discharge on May 31, 2018.³ Mr. Salinas requested a hearing to present his grievance and demonstrate that he was entitled to the presumption of innocence, the right to confront his accusers, and to all rights afforded by due process.

26. PIEDC’s by-laws define the Administrator, Mr. Salinas, as a “Department Head” entitled to a grievance hearing before two Port Isabel employees and a citizen from the community.⁴ Defendants, by and through Hockema, denied Mr. Salinas the right to present his grievance in accordance with the by-laws and, instead, arbitrarily denied the grievance upholding his own decision to discharge Mr. Salinas.

27. On January 3, 2019, Mr. Salinas received notice of the State’s Motion to Dismiss and Order of Dismissal.⁵ Thus, the basis upon which Hockema discharged Mr. Salinas was categorically discredited and proven to be without merit.

V.

- COUNT ONE -

VIOLATIONS OF THE FIRST AMENDMENT OF UNITED STATES CONSTITUTION

A. Violations of the First Amendment of the United States Constitution

1. The contentions of fact made in the “Statement of Facts” of this pleading are incorporated by reference into Count One as if fully set forth herein.

² See Exhibit 2, Letter of Discharge, dated May 18, 2018.

³ See Exhibit 3, Letter Objecting to Discharge, dated May 31, 2018.

⁴ See PIEDC’s by-laws.

⁵ See Exhibit 4, Motion to Dismiss and Order of Dismissal, dated January 3, 2019.

2. By and through their Original Petition, Mr. Salinas pleads that Defendants maintain a pattern and practice of depriving persons, including themselves, of their rights secured by the First Amendment to the United States Constitution.

3. More specifically, Mr. Salinas further pleads that Defendants retaliated against him in violation of the First Amendment to the United States Constitution because he engaged in free speech regarding matters of public concern and because he assembled and/or associated for the purpose of expressing political views and positions he repeatedly publicly publicized to the citizens of Cameron County, Texas. Upon information and belief, Defendants' retaliatory acts caused him to suffer an injury that would otherwise chill a person of ordinary firmness from continuing to engage in protected activity. Defendants were substantially motivated to retaliate against Mr. Salinas because of his exercise of constitutionally protected rights.

VII.
- COUNT THREE -
VIOLATIONS OF THE FOURTEENTH AMENDMENT
OF UNITED STATES CONSTITUTION AND 42 U.S.C. §1983

1. The contentions of fact made in the "Statement of Facts" of this pleading are incorporated by reference into Count Three as if fully set forth herein.

2. By and through his Original Petition, Mr. Salinas pleads that Defendants, under color of statute, ordinance, regulation, custom, or usage, subjected, or caused to be subjected, Mr. Salinas to the deprivation of his rights, privileges, and immunities secured by the United States Constitution and laws. Mr. Salinas pleads that Defendants, acting under color of state law, violated this civil rights by using the power of the State to deprive him of employment because of his free speech and association.

3. Pleading further, Mr. Salinas pleads that Defendants have deprived him of liberty and property without due process of law.

4. Mr. Salinas further pleads that Defendants, through their employees, agents, and representatives, implemented and enforced a custom, policy statement, ordinance, regulation, or decision that deprived him of his civil rights. Mr. Salinas pleads that Defendants, acting under color of state law, violated his civil rights by using the power of the State to deprive him of employment because of his free speech and association.

5. Pleading in the alternative, Mr. Salinas pleads that Defendants maintained a persistent, widespread practice by officials and employees that, although not authorized by officially adopted and promulgated policy, was so common and well settled that it constituted a custom and fairly represented municipal policy and that such persistent, widespread practice deprived them of his civil rights. Defendants, by operation of a persistent, widespread practice by officials and employees that, although not authorized by officially adopted and promulgated policy, was so common and well settled that it constituted a custom and fairly represented municipal policy, that permits, tolerates, and encourages the suppression and stigmatization of free speech, free association, and reprisal based upon purely personal animus.

XV.
PRAYER

WHEREFORE, premises considered, PLAINTIFF ROBERT SALINAS requests that the above matters be tried, and that upon trial, this Court award judgment as follows:

- a. Compensatory including mental anguish and loss of reputation in an amount to be fixed upon inquest;
- b. Lost past, present and future wages and employment benefits, in an amount to be fixed upon inquest;
- c. Pre-judgment and post-judgment interest, at the maximum rate permitted by law;
- d. Reasonable and necessary attorney's fees;

- e. All taxable costs of court expended in this lawsuit; and
- f. Such other and further legal relief, either at law or equity, to which Mr. Salinas may be justly entitled.

PLAINTIFFS HEREBY REQUESTS TRIAL BY JURY.

Respectfully submitted,

SÁNCHEZ & WILSON, P.L.L.C.
MARK ANTHONY SÁNCHEZ, ESQ.
ROBERT W. WILSON, ESQ.
6243 IH-10 West, Suite 1025
San Antonio, Texas 78201
(210) 222-8899
(210) 222-9526 (TELECOPIER)
E-mail: mas@sanchezwilson.com
ATTORNEYS FOR PLAINTIFF

By: /s/ Mark Anthony Sánchez
MARK ANTHONY SÁNCHEZ, ESQ.
TEXAS STATE BAR NO. 00795857

FILED - 3/23/2020 6:25 PM
2020-DCL-01570 / 41870829
ELVIRA S. ORTIZ
Cameron County District Clerk
By Sofia Herrera Deputy Clerk

2-31
Prescribed by Secretary of State
Section 141.021, Chapters 143 and 144, Texas Election Code
1/2017

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED OPTIONAL

APPLICATION FOR A PLACE ON THE City of Port Isabel GENERAL ELECTION BALLOT

TO: City Secretary/Secretary of Board

I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.

OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)

INDICATE TERM

☒ FULL

☐ UNEXPIRED

Commissioner Place 1

FULL NAME (First, Middle, Last)

Rogelio Salinas Jr.

PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT

Roger Salinas

PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe the address at which you receive personal mail and location of residence.)

1754 ILLINOIS Ave.

PUBLIC MAILING ADDRESS (Campaign mailing address, if available.)

P.O. Box 823

CITY

Port Isabel

STATE

Texas

ZIP

78578

CITY

Port Isabel

STATE

Texas

ZIP

78578

PUBLIC EMAIL ADDRESS (If available)

N/A

OCCUPATION (Do not leave blank)

Elevator Tech

DATE OF BIRTH

10/15/60

VOTER REGISTRATION VUID NUMBER (Optional) ²

TELEPHONE CONTACT INFORMATION (Optional)

Home: (956) 943-6326

Work:

Cell: (956) 572-7027

LENGTH OF CONTINUOUS RESIDENCE AS OF DATE APPLICATION SWORN

IN STATE

57 year(s)

month(s)

IN TERRITORY FROM WHICH THE OFFICE SOUGHT IS ELECTED ¹

5.7 year(s)

month(s)

If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election.

Before me, the undersigned authority, on this day personally appeared (name) Rogelio Salinas Jr. who being by me here and now duly sworn, upon oath says:

"I, (name) Rogelio Salinas Jr. of Cameron County, Texas, being a candidate for the office of Place 1, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been finally convicted of a felony for which I have not been pardoned or had my full rights of citizenship restored by other official action. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code.

I further swear that the foregoing statements included in my application are in all things true and correct."

X

R Salinas

SIGNATURE OF CANDIDATE

Sworn to and subscribed before me at Port Isabel

this the 20th day of January, 2020

Maria S. Alcocer

City Secretary

Signature of Officer Administering Oath

Title of Officer Administering Oath

TO BE COMPLETED BY CITY SECRETARY OR SECRETARY OF BOARD

(See Section 1.007)

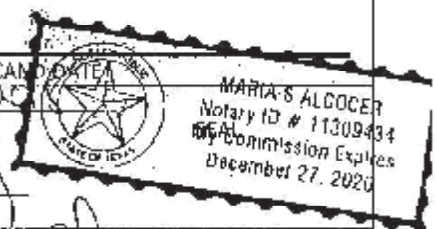
1/22/2020

Date Received

Maria S. Alcocer

Signature of Secretary

Voter Registration Status Verified ☒



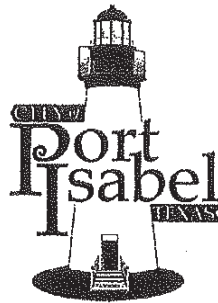
Exhibit

1

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA
PG 1

See CTA Instruction Guide for detailed instructions.		1. Total pages filed:	
2. CANDIDATE NAME	MR / MRS / <u>DR</u>	FIRST	MI
	NICKNAME	LAST	SUFFIX
3. CANDIDATE MAILING ADDRESS	ADDRESS (PO BOX) APT / SUITE # CITY STATE ZIP CODE		
	P.O. BOX 823 Port Isabel, Texas 78578		
4. CANDIDATE PHONE	AREA CODE	PHONE NUMBER	EXTENSION
	(956) 572-7027		
5. OFFICE HELD (if any)			
6. OFFICE SOUGHT (if known)	Commissioner Place 1		
7. CAMPAIGN TREASURER NAME	MR / MRS / <u>DR</u>	FIRST	MI
	NICKNAME	LAST	SUFFIX
8. CAMPAIGN TREASURER STREET ADDRESS (residence or business)	STREET ADDRESS (NO PO BOX PLEASE) APT / SUITE # CITY STATE ZIP CODE		
	1754 ILLINOIS Ave. Port Isabel, Texas 78578		
9. CAMPAIGN TREASURER PHONE	AREA CODE	PHONE NUMBER	EXTENSION
(956) 572-7027			
10. CANDIDATE SIGNATURE	<p>I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.</p> <p>I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.</p> <p>I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p> <p><u>R Salas</u> <u>1-22-2018</u></p> <p>Signature of Candidate Date Signed</p>		
GO TO PAGE 2			



CITY OF PORT ISABEL
"An Equal Opportunity Provider and Employer"
305 East Maxan
Port Isabel, Texas 78578
(956) 943-2682
(956) 943-2029 Facsimile

FILED - 3/23/2020 6:25 PM
2020-DCL-01570 / 41870829
ELVIRA S. ORTIZ
Cameron County District Clerk
By Sofia Herrera Deputy Clerk

May 18, 2018

Robert Salinas
33 Whooping Crane
Laguna Vista TX 78578

Dear Mr. Salinas,

I have received information regarding charges filed against you by the Cameron County Sheriff's office under Complaint Number 2018-XMG-01503, wherein you are alleged to have committed a felony offense of injury to a disabled individual. The alleged offense occurred during a fight in which you were involved following the city election on May 5, 2018, adjacent to City Hall.

While I strongly believe that the accused are innocent until proven guilty, such a standard does not apply to the city's disciplinary process. The egregious nature of the alleged conduct, combined with your involvement in this fight, and the presentation of criminal charges, requires that disciplinary action be taken against you.

Under the city's personnel manual, Section 902, "fighting" and "inciting or engaging in a strikes or riots" are listed as major infractions, which subject you to immediate dismissal. Additionally, this section provides "conduct outside of work of a criminal, dishonest or immoral nature, or other conduct, which would reflect unfavorably toward the city" may also be grounds for dismissal. Therefore, your employment with the city is terminated, effective immediately.

Please turn in all keys, credit cards and city property to the city secretary's office, as well as a list of any passwords used by you to access city accounts. You will receive your final paycheck, including any accrued sick and vacation time, upon receipt of these items.

Your health insurance will be paid through the end of June. Should you wish to continue coverage after that time at your expense, please contact Stacy Gonzalez at 943-0707.

Sincerely,

JARED HOCKEMA
City Manager

**Exhibit
2**

FILED - 3/23/2020 6:25 PM
2020-DCL-01570 / 41870829
ELVIRA S. ORTIZ
Cameron County District Clerk
By Sofia Herrera Deputy Clerk

EDMUND K. CYGANIEWICZ
ATTORNEY AT LAW
1000 E. MADISON
BROWNSVILLE, TEXAS 78520

(956) 541-5995

BOARD CERTIFIED
CRIMINAL LAW SPECIALIST

May 31, 2018

Mr. Jared Hockema
City Manager
305 East Maxan
Port Isabel, Texas 78578
Facsimile (956) 943-2029

RE: My client: Robert Salinas
Termination letter of May 18, 2018

Dear Mr. Hockema :

I am writing on behalf of my above-mentioned client, Mr. Robert Salinas.

We have received your letter in which you conclude that my client violated Section 902 of the City's personnel manual.

This conclusion and immediate termination without hearing and due process is a clear violation of his rights.

I am formally requesting a hearing on your immediate and unlawful termination of my client, and requesting an appeal of the termination and also all evidence in which you base your conclusion that he violated the City's personnel policy that you quoted in your letter.

My client denies any such violation and will pursue all legal remedies available, if necessary.

Sincerely,


Edmund K. Cyganiewicz

Cc: Client, Robert Salinas
Mayor, Juan Jose Zamora
City Counsel, Martin Cantu Jr.
City Counsel, Maria Del Carmen Rios
City Counsel, Martin C. Cantu
City Counsel, Jeffery David Martinez
City Attorney, Gilberto Hinojosa

**Exhibit
3**

FILED - 3/23/2020 6:25 PM
2020-DCL-01570 / 41870829

ELVIRA S. ORTIZ
Cameron County District Clerk
By Sofia Herrera Deputy Clerk

THE STATE OF TEXAS

ROBERT SALINAS

§
§
§

IN THE MAGISTRATE COURT

OF

CAMERON COUNTY, TEXAS

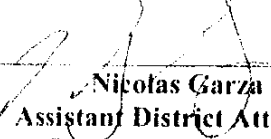
STATE'S MOTION TO DISMISS

TO THE SAID HONORABLE COURT:

COMES NOW, THE STATE OF TEXAS, by her Assistant County and Criminal District Attorney, and moves the Court to dismiss the below listed and numbered cause(s) against the above named Defendant, for the reason that:

MAGISTRATE NO:	OFFENSE:	REASON:
18XMG1503 Sorola	INJURY CHILD ELDERLY DISABLED W/INT BODILY INJ 9126136562; A001	Insufficient evidence to satisfy the burden of proof.

Respectfully submitted,
Luis V. Saenz


Nicolas Garza
Assistant District Attorney
State Bar No: 24090118

ORDER OF DISMISSAL

On this, the 3rd day of JANUARY, 2019, came on to be heard the written Motion of the State's Attorney filed herein, asking permission of the Court to dismiss charges listed above against Defendant, ROBERT SALINAS, for reasons set out in said Motion, and the same having been heard and duly considered, the Court is of the opinion that the reason(s) so stated are good and sufficient to authorize such a dismissal.

IT IS THEREFORE, CONSIDERED, ORDERED, AND ADJUDGED by the Court, that this criminal action be, and the same hereby, dismissed as to the aforesaid Defendant.


LOUIS S. SOROLA
JUDGE PRESIDING

Arresting Agency No: 0518-0588
District Attorney No: DA2018-5373

December 21, 2018

**Exhibit
4**

CITATION – PERSONAL SERVICE – TRCP 99

THE STATE OF TEXAS

SERVED

2020-DCL-01570-C

Robert Salinas § IN THE 197TH DISTRICT COURT
VS § OF
City of Port Isabel, Texas § CAMERON COUNTY, TEXAS

TO **City of Port Isabel, Texas**
May Be Served By Serving Its Mayor Juan Jose JJ Zamora
305 E Maxan Street
Port Isabel TX 78578, Or Wherever He May Be Found GREETING:

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after the date you were served this citation and petition, a default judgment may be taken against you." TRCP. 99

You are hereby commanded to appear by filing a written answer to **Plaintiff's Original Petition** at or before 10:00 o'clock A.M. on the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable 197th District Court of Cameron County, at the Courthouse in said County in Brownsville, Texas. Said **Plaintiff's Original Petition** was filed in said court on **March 23, 2020**, in the above entitled cause.

The file number of said suit being
2020-DCL-01570-C

The style of the case is:
Robert Salinas
vs.
City of Port Isabel, Texas, Port Isabel Economic Development Corporation

The nature of Petitioner's demand is fully shown by a true and correct copy of **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

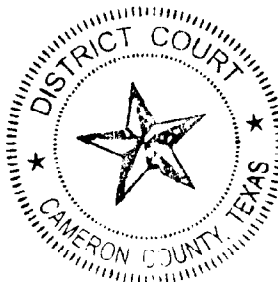
The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at Brownsville, Texas, on this the 25th day of March, 2020.

ATTORNEY:

MARK ANTHONY SANCHEZ
00795857
210-222-8899
6243 IH-10 West STE 1025
San Antonio TX 78201-2020

2020-0773



Elvira S. Ortiz

District Clerk of Cameron County
974 E Harrison St.
Brownsville, Texas 78520

By:

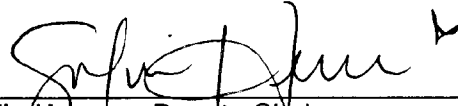

Sofia Herrera, Deputy Clerk

EXHIBIT A-3

2020-DCL-01570-C
197th District CourtRobert Salinas
vs.
City of Port Isabel, Texas, Port Isabel Economic
Development Corporation

RETURN OF SERVICE

Executed when copy is delivered:

This is a true copy of the original citation, was delivered to defendant _____, on the _____ day of _____, 20_____.

NAME/ADDRESS FOR SERVICE

Officer
County, TX

By: _____ Deputy

OFFICERS RETURN

Came to hand on the 27 day of March 2020, at 400 o'clock A m and Cameron County, Texas, by delivering to each of the within named defendants in person, a true copy of this _____ with the date of delivery endorsed thereon, together with the accompanying copy of the _____ at the following times and places, to wit:

NAME	DATE/TIME	PLACE/COURSE/DISTANCE FROM COURTHOUSE
Juan Jose J. Ramirez	3-27-2020 4:45pm	305 E. Mays St R. + Zuchel Tx

And not executed as to the defendant(s), _____ 75577
The diligence used in finding said defendant(s) being:

and the cause or failure to execute this process is:

and the information received as to the whereabouts of said defendant(s) being:

FEES: FILED 213 P M
SERVING PETITION OMAR S. ORTIZ - DISTRICT CLERK
TOTAL: \$ _____

OMAR LUCIO
CAMERON Officer
County, TX

By: R. Moore #211 Deputy

APR 07 2020

[Signature]
DISTRICT CLERK OF CAMERON COUNTY, TEXAS
Deputy

AFFIANT

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return shall be signed under penalty or perjury and contain the following statement:

"My name is _____, my date of birth is _____, my address is _____

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED in _____ County, State of _____, on the _____ day of _____, 20_____.

ID Number/Expiration of Certification

Declarant/Authorized Process Server

CITATION – PERSONAL SERVICE – TRCP 99

THE STATE OF TEXAS **SERVED**
2020-DCL-01570-C

Robert Salinas § IN THE 197TH DISTRICT COURT
VS § OF
City of Port Isabel, Texas § CAMERON COUNTY, TEXAS

TO **Port Isabel Economic Development Corporation**
May Be Served By Serving Its Chairman Calvin Byrd
305 E Maxan Street
Port Isabel TX 78578, Or Wherever He May Be Found GREETING:

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after the date you were served this citation and petition, a default judgment may be taken against you." TRCP. 99

You are hereby commanded to appear by filing a written answer to **Plaintiff's Original Petition** at or before 10:00 o'clock A.M. on the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable 197th District Court of Cameron County, at the Courthouse in said County in Brownsville, Texas. Said **Plaintiff's Original Petition** was filed in said court on **March 23, 2020**, in the above entitled cause.

The file number of said suit being
2020-DCL-01570-C

The style of the case is:
Robert Salinas
vs.
City of Port Isabel, Texas, Port Isabel Economic Development Corporation

The nature of Petitioner's demand is fully shown by a true and correct copy of **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

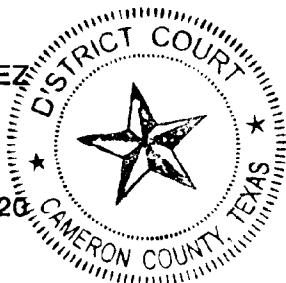
The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at Brownsville, Texas, on this the 25th day of March, 2020.

ATTORNEY:

MARK ANTHONY SANCHEZ
00795857
210-222-8899
6243 IH-10 West STE 1025
San Antonio TX 78201-2020

2020-0774



Elvira S. Ortiz

District Clerk of Cameron County
974 E Harrison St.
Brownsville, Texas 78520


By: 
Sofia Herrera, Deputy Clerk

EXHIBIT A-4

2020-DCL-01570-C
197th District CourtRobert Salinas
vs.
City of Port Isabel, Texas, Port Isabel Economic
Development Corporation

RETURN OF SERVICE

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NAME/ADDRESS FOR SERVICE

Officer
County, TX

By: _____ Deputy

OFFICERS RETURN

Came to hand on the 27 day of March 2020, at 900 o'clock A m and Cameron County, Texas, by delivering to each of the within named defendants in person, a true copy of this _____ with the date of delivery endorsed thereon, together with the accompanying copy of the _____ at the following times and places, to wit:

NAME	DATE/TIME	PLACE/COURSE/DISTANCE FROM COURTHOUSE
Calvin Byrd	March 27, 2020 / 4:30 pm	305 E. Mexico St Port Isabel TX

And not executed as to the defendant(s), _____ 78578
The diligence used in finding said defendant(s) being:

and the cause or failure to execute this process is:

and the information received as to the whereabouts of said defendant(s) being:

FILED 213 o'clock P M

FEES: **ELVIRA S. ORTIZ** - DISTRICT CLERK
SERVING PETITION/COPY \$ _____
TOTAL: \$ _____

APR 07 2020

DISTRICT COURT OF CAMERON COUNTY, TEXAS
By: [Signature] Deputy

OMAR LUCIO
CAMERON Officer
County, TX

By: R. Moore #21 Deputy

AFFIANT

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

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"My name is _____, my date of birth is _____, my address is _____"

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED in _____ County, State of _____, on the ____ day of _____, 20____.

ID Number/Expiration of Certification

Declarant/Authorized Process Server